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16 Attorneys for Plaintiff,

17 OUIBY INC., d/b/a KICKFURTHER

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

20 OUIBY INC., d/b/a KICKFURTHER,

21 Plaintiff,

22 v.

23 IDIL DOGUOGLU-POSEY, CARL POSEY
24 PHOTOGRAPHY, INC., CARL POSEY,

25 Defendants.

Case No. 3:17-CV-03847-EMC

**STIPULATION TO EXTEND THE DATE
OF THE HEARING ON PLAINTIFF'S
MOTION TO ENFORCE SETTLEMENT
AND CASE MANAGEMENT
CONFERENCE AND [PROPOSED]
ORDER**

Trial Date: None Set

26 In accordance with Local Rule 6-1(b), 6-2 and 7-12, plaintiff OUIBY INC., d/b/a
27 KICKFURTHER ("Kickfurther") and defendants IDIL DOGUOGLU-POSEY, CARL POSEY
28 PHOTOGRAPHY, INC., CARL POSEY ("Defendants," unless stated otherwise) (collectively, the
"Parties"), hereby stipulate (subject to the approval of the Court) to extend the dates with respect to
the upcoming Case Management Conference set for April 19, 2018, the hearing on Plaintiff's Motion
To Enforce Settlement, and all other dates currently on the Court's docket, so that the Parties can

1 complete the process of completing the settlement of the case, including the execution of all relevant
2 settlement documents.

3 The Parties state and stipulate as follows:

- 4 1. WHEREAS, on January 22, 2018, the Parties participated in a Settlement Conference
- 5 before the Honorable Magistrate Judge Robert M. Illman;
- 6 2. WHEREAS, Kickfurther and Idil Doguoglu-Posey settled the case as to themselves;
- 7 3. WHEREAS, Kickfurther agreed to dismiss Carl Posey, individually;
- 8 4. WHEREAS, Kickfurther filed a Motion to Enforce Settlement that is set to be heard on
- 9 April 19, 2018;
- 10 5. WHEREAS, after the filing of the Motion to Enforce Settlement, Idil Doguoglu-Posey
- 11 agreed that the stipulated judgment that she and Kickfurther are entering into is to be
- 12 enforced in Boulder County, Colorado;
- 13 6. WHEREAS, Kickfurther's position is that the Motion to Enforce Settlement should remain
- 14 in place until the Parties have completed the settlement process and executed the relevant
- 15 settlement documents;
- 16 7. WHEREAS, there is currently a Case Management Conference set for April 19, 2018;
- 17 8. WHEREAS, the Parties believe that, in the interest of saving judicial resources, the date of
- 18 the Case Management Conference should be continued thirty (30) days from April 19,
- 19 2018, to give the Parties time to complete the settlement process;
- 20 9. WHEREAS, the Parties believe that, in the interest of saving judicial resources, and for the
- 21 good cause shown in this stipulation, the hearing date on the Motion to Enforce Settlement
- 22 and the Case Management Conference should be continued for thirty (30) days from April
- 23 19, 2018 to May 18, 2018, so that the Parties can complete the settlement process;
- 24 10. WHEREAS, continuing the hearing date on the Motion to Enforce Settlement and the
- 25 Case Management Conference to May 18, 2018 will save judicial resources and, and may
- 26 obviate the need for the hearing on the Motion to Enforce Settlement and the Case
- 27 Management Conference;
- 28

1 11. WHEREAS, the Parties believed that good cause exists to grant the instant stipulated
2 request; and

3 12. WHEREAS, this continuance of the hearing on the Motion to Enforce Settlement and the
4 Case Management Conference is sought in good faith and not for any improper purpose.
5 Pursuant to Local Rules 6-1(b), 6-2 and 7-12, the Parties stipulate to continue the hearing
6 date on the Motion to Enforce Settlement and the upcoming Case Management
7 Conference currently set for April 19, 2018 to May 19, 2018, so that the Parties can have
8 sufficient time to complete the settlement process

9 Dated: April 9, 2018


10 /s/ Idil Doguoglu Posey
11 By: _____
12 Idil Doguoglu-Posey

13 Dated: April 9, 2018

14 By: _____
15 /s/ Carl Posey
16 Carl Posey

17 DATED: April 10, 2018

LEWIS BRISBOIS BISGAARD & SMITH LLP

19 By: 
20 René I. Gamboa
21 Attorneys for Plaintiff,
22 OUIBY INC., d/b/a KICKFURTHER
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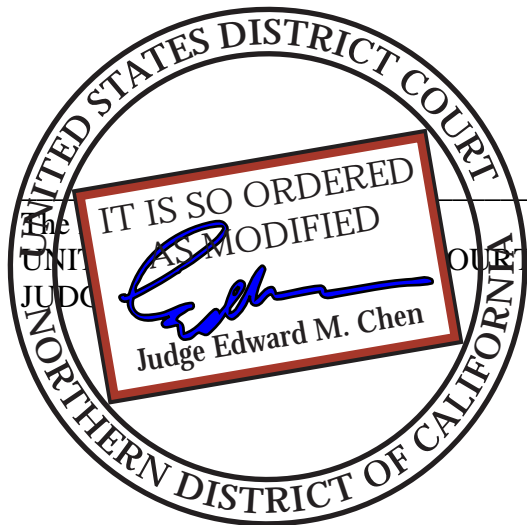
ORDER

After consideration of the Parties stipulation set forth above:

IT IS HEREBY ORDERED THAT the hearing on Plaintiff's Motion to Enforce Settlement and Case Management Conference, both of which are currently set for April 19, 2018, shall be continued to May ¹⁷~~18~~, 2018.

IT IS SO ORDERED.

DATED: April ¹⁰2018



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CERTIFICATE OF SERVICE

I hereby certify that on the date written above, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system. The Court or the CM/ECF system will send notification of such filings to all CM/ECF participants on record.

I hereby also certify that on 04/10/18, I served the foregoing document on Carl Posey Photography, Inc. by United States mail. I enclosed the document in a sealed envelope addressed to Carl Posey Photography, Inc. at 845 61st Street, Emeryville, California, 94608. I deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

/s/Arlene Juarez Patino
Arlene Juarez Patino